



1776 K STREET NW  
WASHINGTON, DC 20006  
PHONE 202.719.7000  
FAX 202.719.7049

7925 JONES BRANCH DRIVE  
MCLEAN, VA 22102  
PHONE 703.905.2800  
FAX 703.905.2820

[www.wileyrein.com](http://www.wileyrein.com)

June 7, 2007

John M. Burgett  
202-719-4239  
[jburgett@wileyrein.com](mailto:jburgett@wileyrein.com)

**Electronic Filing**

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 Twelfth Street, SW  
Washington, DC 20554

Re: *Ex Parte* Notification  
MB Docket No. 87-268

Dear Ms. Dortch:

On June 6, 2007, Robert Beizer, the General Counsel of Gray Television, Inc. ("Gray"), the parent of the licensee of KOLO-DT, Reno, Nevada; Richard Wiley of Wiley Rein LLP; and the undersigned met with Andrew Long, Clay Pendarvis, Eloise Gore, Gordon Godfrey, Nazifa Sawez and Evan Baranoff of the Media Bureau. The parties discussed KOLO's allotment in the post-transition DTV table proposed in the Seventh Further Notice of Proposed Rulemaking in the above-referenced proceeding.

Specifically, the parties discussed whether KOLO's post-transition digital allotment could be changed from the currently proposed Channel 9 to Channel 8. Station KOLO currently operates on NTSC Channel 8 and DTV Channel 9. The station operates digitally on Channel 9 with the parameters specified in its DTV license, BMLCDT-20031106AFM. Since commencing digital operations in late 2003, the station has employed a "common" antenna for both its digital Channel 9 and analog Channel 8 operations. This antenna is more than 45 years old and located at a mountaintop tower site in the Toiyabe National Forest, which is administered by the U.S. Forest Service.

Because KOLO's antenna is tuned for Channel 8 operations and was not designed to cover multiple channels, the antenna's bandwidth for Channel 9 operations is not uniform. This lack of uniformity reduces the ability of television receivers to correct for propagation effects such as multipath interference or receiver antenna misalignments. Therefore, as Gray explained during the meeting, if KOLO stays on Channel 9 for post-transition DTV operations, it must retune its antenna to provide better quality service. The station believes that if it attempts to adjust the antenna's tuning rods (which have been set for more than 45 years without being moved), one



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or more rods may become stuck in an undesired configuration which would then only worsen the antenna's performance for Channel 9 operations. If KOLO must replace its antenna, service to the public could be adversely affected because of the long delay inherent in the process by which KOLO must obtain approval from the U.S. Forest Service to make any modifications to its tower. To remedy the situation, and ensure uninterrupted digital service to the public, Gray proposed during the meeting that the DTV table be revised to allow KOLO to remain on Channel 8 for its post-transition DTV operations. Gray noted that using the method of interference calculation the FCC employed during the channel election process, KOLO's use of Channel 8 for digital operations complies with the 0.1% interference limit.

This letter is being provided to your office in accordance with Section 1.1206 of the Commission's rules. A copy of this letter has been delivered by e-mail to the parties listed below.

Please direct any questions regarding this notice to the undersigned.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "John M. Burgett", written over a horizontal line.

John M. Burgett

cc: Andrew Long  
Clay Pendarvis  
Eloise Gore  
Gordon Godfrey  
Nazifa Sawez  
Evan Baranoff